

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

BRAD LAMONTE WHITFIELD,

Plaintiff,

vs.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Civil No. 3:20-CV-05696-BAT

ORDER

Based on the stipulation of the parties, it is hereby ORDERED that the above-captioned case be REVERSED and REMANDED for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). On remand, the Appeals Council will instruct the administrative law judge to do the following:

1. further develop the claimant's record to obtain updated treatment records;
2. proffer the claimant the additional medical evidence from Multicare Health System (Exhibit 18F), and any other evidence entered into the claimant's record;
3. further evaluate the medical and non-medical source opinions, including but not limited to Nisha Singh, M.D. and James Lewis, M.D., and explain the weight given to such opinion evidence;
4. further evaluate the nature and severity of the claimant's alleged impairments, including the claimant's asthma;

5. further evaluate the claimant's maximum residual functional capacity and provide an appropriate rationale with specific references to evidence of record in support of the assessed limitations;
6. further evaluate the claimant's alleged symptoms, including his alleged back pain, and provide a rationale in accordance with the disability regulations pertaining to evaluation of symptoms;
7. if warranted, obtain supplemental evidence from a vocational expert to clarify the effect of the assessed limitations on the claimant's occupational base; and
8. provide the claimant an opportunity for a hearing.

Upon proper presentation, the Court will consider whether reasonable attorney fees, costs, and expenses should be awarded pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d).

DATED this 23rd day of December, 2020.



BRIAN A. TSUCHIDA  
Chief United States Magistrate Judge

Presented by:

s/ Stephen Dmetruk  
STEPHEN DMETRUK  
Special Assistant United States Attorney  
Office of the General Counsel  
Social Security Administration  
701 Fifth Avenue, Suite 2900 M/S 221A  
Seattle, WA 98104-7075  
Telephone: (206) 615-3725  
Fax: (206) 615-2531  
stephen.dmetruk@ssa.gov